

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

TEXTILE COMPUTER SYSTEMS, INC.,

Plaintiff,

v.

SOUTHSIDE BANK, ET AL.,

Defendants.

CIVIL ACTION NO. 6:21-cv-1056-ADA

JURY TRIAL DEMANDED

JOINT MOTION TO DISMISS SOUTHSIDE

WHEREAS, one or more third party agreements have resolved some or all of the claims between Plaintiff Textile Computer Systems, Inc. (“Textile”) and Defendant Southside Bank (“Southside”).

NOW, THEREFORE, Textile and Southside, through their attorneys of record, request that the Court dismiss with prejudice all claims asserted by Textile against Southside in this case that are licensed under the one or more third party agreements including, but not limited to, any debit or credit cards issued, and/or transactions processed in whole or in part, by Fiserv, Inc., Fiserv Solutions, LLC, U.S. Bank National Association (d/b/a Elan Financial Services), U.S. Bancorp, and/or any of their respective affiliates; to dismiss without prejudice all other claims asserted by Textile against Southside in this case; and to dismiss without prejudice Southside’s claims, defenses, or counterclaims for relief against Textile, with each party to bear their own attorneys’ fees, costs of court, and expenses.

Dated: December 13, 2022

Respectfully submitted,

/s/ Matthew J. Antonelli
Matthew J. Antonelli

Texas Bar No. 24068432
matt@ahtlawfirm.com
Zachariah S. Harrington
Texas Bar No. 24057886
zac@ahtlawfirm.com
Larry D. Thompson, Jr.
Texas Bar No. 24051428
larry@ahtlawfirm.com
Christopher Ryan Pinckney
Texas Bar No. 24067819
ryan@ahtlawfirm.com
ANTONELLI, HARRINGTON
& THOMPSON LLP
4306 Yoakum Blvd., Ste. 450
Houston, TX 77006
(713) 581-3000

Stafford Davis
State Bar No. 24054605
sdavis@stafforddavisfirm.com
Catherine Bartles
Texas Bar No. 24104849
cbartles@stafforddavisfirm.com
THE STAFFORD DAVIS FIRM
815 South Broadway Avenue
Tyler, Texas 75701
(903) 593-7000
(903) 705-7369 fax

Attorneys for Textile Computer Systems, Inc.

/s/ Nick E. Williamson
Michael C. Smith
State Bar No. 18650410
SCHEEF & STONE, LLP
113 E. Austin Street
Marshall, TX 75670
Telephone: (903) 938-8900
michael.smith@solidcounsel.com

David A. Roodman (*pro hac vice*)
Nick E. Williamson (*pro hac vice*)
BRYAN CAVE LEIGHTON PAISNER LLP
One Metropolitan Square
211 North Broadway, Suite 3600

St. Louis, MO 63102
Telephone: (314) 259-2000
daroodman@bclplaw.com
nick.williamson@bclplaw.com

Paige Stradley (*pro hac vice*)
Rachel Zimmerman Scobie (*pro hac vice*)
Jeffrey Blake (*pro hac vice*)
MERCHANT & GOULD P.C.
150 S. Fifth Street, Suite 2200
Minneapolis, MN 55402

Attorneys for Defendant
Southside Bank

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on December 13, 2022.

/s/ Matthew J. Antonelli

Matthew J. Antonelli